

CENTRAL INFORMATION COMMISSION
Club Building, Opposite Ber Sarai Market,
Old JNU Campus, New Delhi - 110067.
Tel: +91-11-26161796

Decision No.CIC/SG/A/2010/000199/7142
Appeal No. CIC/SG/A/2010/000199

Appellant : Mr. Kailash Chand Goel
S/o Late Sh. Matu Ram Goel
486, Civil Wing, Tis Hazari Courts,
Delhi-110054.

Respondent : Mr. Raj Kumar
Public Information Officer & ADM(N)
Govt. of NCT of Delhi
O/o ADM (North),
1, Kripa Narain Marg,
Delhi-110054.

RTI application filed on : 23/09/2008
PIO replied : 08/04/2009
First Appeal filed on : 09/01/2009
First Appellate Authority order : 28/07/2009
Second Appeal Received on : 21/01/2010
Notice of Hearing Sent on : 16/02/2010
Hearing Held on : 15/03/2010

Sr.No	Information sought	PIO's reply
1.	Whether record of RTI application received is maintained	Yes.
2.	Whether record of RTI Application issued by the Competent authority is maintained.	Yes.
3.	Whether record of appeal filed against the order of Competent authority is maintained.	Yes.
4.	Whether record of orders of Appellate Authority is maintained.	Yes.
5.	Whether orders issued by the Appellate Authority under RTI Act for ready reference available to general public on request with respect to any particular query.	It is a matter of interpretation, therefore does not cover under the definition of information.
6.	Whether precedent created by Appellate Authority are followed.	As above
7.	If precedents are followed than why the same was not followed with reference to RTI Application dated 30/07/2008, ID No. 803 & 804. (Precedent order No. 1045/ADM (N), dated 05/03/07).	As above
8.	If precedent created by the Appellate Authority are not followed than state the reasons.	As above

Grounds for First Appeal:

Non-receipt of the information from the PIO.

Order of the First Appellate Authority:

“I have heard the Appellant as well as PIO and gone through the contents of Appeal and other records on file, I find that the PIO sent the information to the Appellant vide letter dated 08/04/2009. However, the Appellant has stated that the information was not delivered to him. On the appeal of the appellant, a letter was issued to the PIO and after that a copy of the information was again sent to the Appellant by the PIO, the PIO/ADM(N) has already been transferred out of Delhi and therefore the same could not be given. The contention of Appellant that the information is not satisfactory does not hold good as the same is not the subject matter of this appeal.”

Grounds for Second Appeal:

Unsatisfactory response.

Relevant Facts emerging during Hearing:

The following were present:

Appellant: Absent;

Respondent: Mr. Ashok Kumar, Suptd. on behalf of Mr. Raj Kumar, PIO & ADM(N);

The information has been provided to the appellant. Since the matter is very old and all the officers had been transferred it would be difficult for the Commission to locate these officers to take action against them.

Decision:

The appeal is disposed.

The information has been provided.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
15 March 2010

(In any correspondence on this decision, mention the complete decision number.)^(AK)